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CONSOL ENERGY.

*C/O 15/015 Incoming
&*

Consolidation Coal Company
PO Box 566
Route 148 North
Sesser, IL 62884

September 25, 2009

Mr. Jim Smith, Permit Supervisor
Utah Coal Regulatory Program
Division of Oil Gas & Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Re: Submittal of Additional Information
Reclamation Agreement
Permit 015/015, Emery Mine

Dear Mr. Smith:

This letter and enclosed Exhibit "D" – Stipulation to Revise Reclamation Agreement is being submitted in accordance with a request from Angela Nance. This action is necessary to properly complete the name change with regard to the surety company.

If you have any questions concerning this agreement, please contact me at this office.

Sincerely,

Timothy D. Kirschbaum
Environmental Engineer

RECEIVED
SEP 29 2009
DIV. OF OIL, GAS & MINING

EXHIBIT “D”

Stipulation to Revise Reclamation Agreement (Federal)

Mine Name: Hidden Valley Mine
Permit Number: C/015/0015
Effective Date: 06/29/2009
Bond Number:

COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT
--ooOOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT**: (Identify and Describe Revisions below)

The Permittee hereby submits a Rider to Surety Bond Number _____ update the name of the surety company from Seaboard Surety Company to Travelers Casualty and Surety Company of America.

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.

- ☐ Replace the Reclamation Agreement in its entirety.
- ☐ Replace Exhibit "A"- bonded area.
- ☐ Rider added to existing Exhibit "B"- bonding agreement
- ☐ Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$ N/A to \$ N/A.

The bonding type is changed from N/A to N/A.

The surface disturbance is revised from N/A acre to N/A acres.

The expiration date is revised from N/A to N/A.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed
from
\$ _____ to \$ _____.

IN WITNESS WHEREOF, Consolidation Coal Company the PERMITTEE
has hereunto set its signature and seal this 11th day of September, 2009.

Consolidation Coal Company
PERMITTEE

By: Jonathan M. Pachtler

Title: General Manager
Environmental Services

ACCEPTED BY THE STATE OF UTAH this 30th day of September, 2009

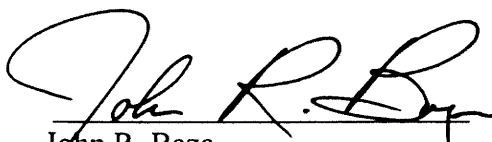
John R. By
Director,
Division of Oil, Gas and Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power or Attorney of a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.

Bond Number _____

**AFFIDAVIT OF QUALIFICATION
DIRECTOR
--ooOOoo--**

John R. Baza, being first duly sworn under oath, deposes and says that he is the Director for the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah; and that he is duly authorized to execute and deliver the foregoing obligations; and that said Director is authorized to execute the same by authority of laws on behalf of the State of Utah.

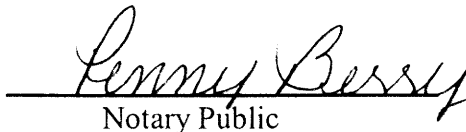


John R. Baza

Director, Division of Oil, Gas and Mining

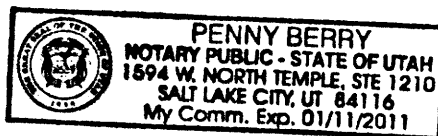
STATE OF Utah)
) ss:
COUNTY OF Salt Lake)

Subscribed and sworn to before me this 30 day of September 2009.


Notary Public

My Commission Expires:

1/11/, 2011.



Bond Number

**AFFIDAVIT OF QUALIFICATION
PERMITTEE**

--ooOOoo--

I, Jonathan M. Pachter, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) _____ agent _____ of Consolidation Coal Company and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said PERMITTEE is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.

Jonathan M. Pachter
(Signed) General Manager -
Name - Position Environmental Services

Attest: [Signature]
Secretary of the Corporation

STATE OF PENNSYLVANIA)

) ss:

COUNTY OF WASHINGTON)

Subscribed and sworn to before me this 17th day of SEPTEMBER, 20 09.

[Signature]
Notary Public

My Commission Expires:

OCTOBER 1, 20 11.

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Kathryn A. Galie, Notary Public
Upper St. Clair Twp., Allegheny County
My Commission Expires Oct. 1, 2011

Member, Pennsylvania Association of Notaries

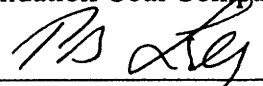
SPECIAL POWER OF ATTORNEY

Consolidation Coal Company, a Delaware corporation, with its principal corporate offices at 1800 Washington Road, Pittsburgh, PA 15241 (the "Company") hereby nominates, constitutes and appoints Jonathan Pachter as its Attorney-in-Fact, to act its place and stead and on its behalf in any and all matters relating in any way to the execution, filing or submission of documents of any kind, including but not limited to, applications for permits, licenses, plans, bonds, consents, waivers, changes, renewals or modifications to any such permits or other documents and forms of any kind or character as may be necessary or convenient for the businesses of the Company related to the mining, re-mining, abandonment and reclamation of coal lands and facilities of the Company, including the power to negotiate, sign, execute and deliver on behalf of it any and all filings, forms, submissions, agreements, transfers, assignments, waivers, consents, confirmations or other documents of any kind as may be necessary or convenient to complete any of the above described purposes.

This Power of Attorney shall remain in full force and effect until revoked in writing.

Given under the signature and seal of the above named Company effective the 31stth day January, 2003.

Consolidation Coal Company

By 

Name: P. B. Lilly

It's Chief Operating Officer

Commonwealth of Pennsylvania
County of Allegheny

On this 31st day of January, 2003, the undersigned, P. B. Lilly, appeared before me and acknowledged himself to be the President of above named company and that as such officer, being authorized to do so, executed the foregoing Power of Attorney for the purposes therein contained, by signing the name of the corporation by himself as President.

In witness whereof, I hereunto set my hand and seal.


My Commission Expires: _____
Seal

Notarial Seal
Jane M. Schaff, Notary Public
Upper St. Clair Twp., Allegheny County
My Commission Expires June 20, 2005

Member, Pennsylvania Association of Notaries


Notary Public

Acceptance: The undersigned hereby accepts the Power of Attorney as granted herein.


Jonathan Pachter

Bond Number

**AFFIDAVIT OF QUALIFICATION
SURETY COMPANY**

--000000--

I, Mary Y. Volmar, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) Attorney-in-Fact of Travelers Casualty and Surety Company of America; and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said SURETY COMPANY is authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertakings and obligations herein.

Travelers Casualty and Surety Company of America

Mary Y. Volmar
(Signed) Mary Y. Volmar, Attorney-in-Fact
Surety Company Officer - Position

Witness:

STATE OF Tennessee)

) ss:

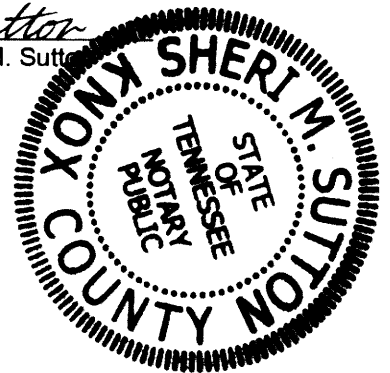
COUNTY OF Knox)

Subscribed and sworn to before me this 29th day of June, 2009.

Sheri M. Sutton
Notary Public Sheri M. Sutton

My Commission Expires:

September 26, 2012.



C/015/015 Incoming



CONSOL ENERGY.

**Consolidation Coal Company
PO Box 566
Route 148 North
Sesser, IL 62884**

August 27, 2009

Mr. James Smith, Permit Supervisor
Utah Coal Regulatory Program
Division of Oil Gas & Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Re: Submittal of Surety Rider
Reclamation Bond Number
Permit C/015/015, Emery Mine

Dear Mr. Smith:

This letter and enclosed surety bond rider corrects the name of the Surety Company to Travelers Casualty and Surety Company of America. The bond number and amount remain as currently on file with the Division.

If you have any questions concerning this certification, please contact me at this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. D. Kirschbaum'.

Timothy D. Kirschbaum
Environmental Engineer
(618)-625-6847

RECEIVED

AUG 31 2009

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Consolidation Coal Company

Mine: Emery Mine

Permit Number: ACT/015/015

Title: Submittal of surety rider to reclamation bond changing surety company.

Description, Include reason for application and timing required to implement:

Need to update name of surety company.

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☒ Yes ☐ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☐ Yes ☒ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jonathan M. Pachter
Print Name

Jonathan M. Pachter 8/20/09
Sign Name, Position, Date
General Manager, Environmental Services

Subscribed and sworn to before me this 20th day of AUGUST, 2009

Kathryn A. Galie
Notary Public

My commission Expires: OCTOBER 1, 2011
Attest: State of PENNSYLVANIA } ss:
County of WASHINGTON

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Kathryn A. Galie, Notary Public
Upper St. Clair Twp., Allegheny County
My Commission Expires Oct. 1, 2011

Member, Pennsylvania Association of Notaries

For Office Use Only:

Assigned Tracking
Number:

Received by Oil, Gas & Mining

RECEIVED

AUG 31 2009

DIV. OF OIL, GAS & MINING

SURETY RIDER

To be attached to and form a part of

Bond No:

Type of
Bond: **Reclamation - Permit No. C/015/015**

dated **May 3, 1991**
effective (MONTH-DAY-YEAR)

executed by **Consolidation Coal Company**
(PRINCIPAL)

,as Principal,

and by **Seaboard Surety Company**, as Surety,

in favor of **State of Utah, Division of Oil, Gas, and Mining, and the U. S. Department of Interior, Office of Surface Mining and Reclamation**
(OBLIGEE)

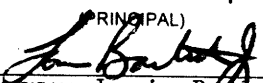
in consideration of the mutual agreements herein contained the Principal and the Surety hereby consent to changing
the surety company from **Seaboard Surety Company** to **Travelers Casualty and Surety Company of America**

Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated.

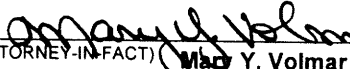
This rider
is effective **June 29, 2009**
(MONTH-DAY-YEAR)

Signed and Sealed **June 29, 2009**
(MONTH-DAY-YEAR)

Consolidation Coal Company

By: 
(PRINCIPAL) **Louis Barletta, Jr., Vice President**

Travelers Casualty and Surety Company of America
(SURETY)

By: 
(ATTORNEY-IN-FACT) **Y. Volmar**

TRAVELERS**POWER OF ATTORNEY**

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company

Attorney-In Fact No. 218196

Certificate No. 002887854

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Debra Elaine Clark-Kinthead, Joseph R. Poplawski, Tara W. Mealer, and Mary Y. Volmar

of the City of Knoxville, State of Tennessee, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 18th day of January, 2007.

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company



State of Connecticut
 City of Hartford ss.

By: _____

George W. Thompson
 George W. Thompson, Senior Vice President

On this the 18th day of January, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
 My Commission expires the 30th day of June, 2011.



Marie C. Tetreault
 Marie C. Tetreault, Notary Public